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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

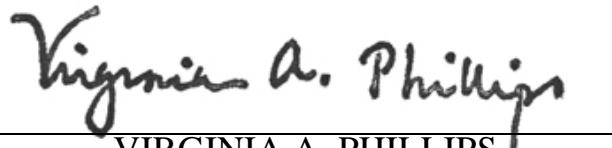
RICARDO RIVERA,) CASE NO. CV 08-08460 VAP (RZ)

Petitioner,) ORDER ACCEPTING FINDINGS AND
vs.) RECOMMENDATIONS OF UNITED
MICHAEL A. SMELOSKY, WARDEN,) STATES MAGISTRATE JUDGE

Respondent.)

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, records on file, and the Report and Recommendation of United States Magistrate Judge. Further, the Court has engaged in a de novo review of those portions of the Report to which Petitioner has objected. The Court accepts the findings and recommendations of the Magistrate Judge.

DATED: February 26, 2009



VIRGINIA A. PHILLIPS
UNITED STATES DISTRICT JUDGE